

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:  
MULCAIRE-JONES, George

Serial No.: 10/783,647

Filed: February 20, 2004

Confirmation No.: 7353

Atty. File No.: 50221-00002

For: "APPARATUS AND METHOD OF  
FERTILITY AWARENESS"

) Group Art Unit: 3736

) Examiner: HOEKSTRA, Jeffrey Gerben

) RULE 132 DECLARATION OF  
) KELECHI J AGUGO.  
) (37 C.F.R. §1.132)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir or Madam:

I, Kelechi J Agugo residing at 610/39, Lonsdale Street, Melbourne, Victoria Ausrtalia, declare as follows:

1. I am the former Acting Secretary of the Family and Human Life Unit and National Coordinator and chief trainer of Circles of Life Program both of Catholic Secretariat of Nigeria [CSN]. CSN is the administrative headquarters of the Catholic Bishops Conference of Nigeria [CBCN] with head office now in Abuja. The Family and Human Life Unit promotes marriage, family values and protects the dignity of the human person and life from conception to Natural death. It provides training in fertility awareness and HIV prevention. The Curriculum Vitae included as Exhibit A to this declaration summarizes my qualifications and experience.

2. Based upon my qualifications and experience, I consider myself one skilled in the art of fertility awareness.

3. I have reviewed and considered the above-referenced pending application, including the pending claims, an Office Action dated December 9, 2008 issued by the United States Patent and Trademark Office (the "Office Action") and U.S. Patent No. 6,747,917 issued to Jennings et al. (hereafter "Jennings") and relied upon by the Patent Examiner in the Office Action to reject the pending Claims.

4. In my capacity as Coordinator /chief trainer of Circles of life, I was familiar with the distribution and use of a bead-type menstrual cycle monitoring device developed by the inventor of the above referenced patent application, Dr. George Mulcaire-Jones (hereafter the "Mulcaire-Jones Bead Device"). During the time from 2005 to present, about 3000 bead system devices including Manuals and User guides were distributed and used as part of Circles of Life fertility awareness program. I would further note that many of the women using the bead are illiterate and live in rural areas. Without the Mulcaire-Jones Bead Device, these women could not adequately chart their fertile and infertile phases.

4. The Mulcaire-Jones Bead Device has contributed a great deal to the development of natural family planning services in Africa. It has allowed for a simplified methodology for teaching NFP that is suitable for women and couples of all educational backgrounds, including those who are illiterate. Unlike the Jennings device which is based upon a fixed calendar day method, the Mulcaire-Jones Bead Device is suitable for women in all circumstances including women who are breast feeding, those who have irregular cycles and those who have cycle lengths outside of the proscribed range of 26 to 32 days taught by Jennings. I believe the Mulcaire-Jones Bead Device is an essential system for improving accessibility and effectiveness of natural family planning in Africa and elsewhere.

7. All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true. I understand that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. §1001) and may jeopardize the validity of this patent application or any patent issuing thereon.

Respectfully submitted,

Date: 05/04/2009

By: *Sr. Kelechi J. Agugo RSC*

Sr Kelechi J Agugo RSC

# EXHIBIT A

**CURRICULUM VITAE****SURNAME: AGUGO TITLE: SR****OTHER NAMES: KELECHI J GENDER: FEMALE****DATE OF BIRTH: MARCH 10, 1957 PLACE OF BIRTH: OWERRI****STATE AND COUNTRY OF ORIGIN: IMO, NIGERIA****COUNTRY OF RESIDENCE: AUSTRALIA NATIONALITY: NIGERIA****CONTACT ADDRESS: 610/39, LONSDALE STREET, MELBOURNE VIC 3000,  
AUSTRALIA****SCHOOLS ATTENDED and PROFESSIONAL TRAINING WITH DATES**

Girls Secondary School, Ogwa 1970 – 1971

Girls Secondary School, Owerri 1972 – 1974

School of Nursing, Umuahia 1975 – 1978

School of Midwifery, Umuahia 1979 – 1980

School of Tropical Medicine, Liverpool, UK 1995

Chattered Management Institute, UK 2005 – 2007

John Paul II Institute for Marriage and Family Studies, Australia 2008 till date

Short courses and researches in Family/Women's health in and outside Nigeria including training in fertility education – Nigeria 2005 [Bead method], Mauritius 2007 [Temperature method],

Melbourne 2008 [Billings method]

**CERTIFICATES OBTAINED AND YEAR**

West African School Certificates 1974

Registered Nurse, Nigeria 1978, Ireland 1988, Zambia 1989

Registered Midwife, Nigeria 1980, Zambia 1989

Primary Health Care Certificate 1995

Degree Level Diploma 2007

Masters Theology, Marriage and Family [presently studying]

	Type of work	Place	Country	Responsibility	Year
1	General Nursing	General Hospital Okigwe	Nigeria	Staff Nurse	1978-1979
2	General Nursing/ Midwifery	General Hospital Ogwa	Nigeria	Staff Nurse/Midwife	1980-1981
3	General Nursing/ Midwifery	St Camillus Catholic Hospital Uromi	Nigeria	Staff Nurse/Midwife	1983-1986

4	General Nursing/ Midwifery	St Francis Catholic Hospital Okpara Inland	Nigeria	Staff Nurse/Midwife	1986-1987
5	General Nursing	St Vincent's Hospital Elm Park -Dublin	Ireland	Staff Nurse	1988
6	Home Based HIV/ AIDS Care	Chikuni RHC and environs	Zambia	Initiator/Coordinator	1988-1991
7	Community based Primary Health Care	Catholic Diocese of Warri	Nigeria	Initiator/Coordinator	1992-2003
8	Family & Human Life Unit	Catholic Secretariat of Nigeria	Nigeria	Senior Program officer/ acting Secretary	2004-2007
	Circles of Life [Natural Family Planning]	Catholic Secretariat of Nigeria	Nigeria	National Coordinator and Chief Trainer	2005-2007

#### **SOME OTHER HEALTH RELATED AREAS SERVED**

Chair, RSC Health Committee [Nigerian Region] 1993 – 2000

Chair, RSC Emergency Relief Committee [Nigerian Region] 1998 – 2003

Head, Women Development & Health Promotion Justice, Peace and Development Commission,  
Warri Diocese 1999 – 2003

Secretary, Christian health Association of Nigeria Edo/Delta Branch 1998-2003

Zonal Representative, Christian health Association of Nigeria Edo/Delta Branch 2000-2003

National Secretary, Sisters in Medicare 2002-2004

Member, National Caritas Committee, Nigeria 2002-2004

#### **PUBLICATIONS**

Soya, Your Sure Way to Good Health, 1995

Caritas PHC News Letter 1995-2003

Co Revised Circles of Life Manual 2007

Articles related to Family life and Natural Family Planning in

1. FESTAC Parish News letter
2. National Catholic Women Organisation of Nigeria Health/Family News Letter
3. CSN News

Nigerian Catholic Procreative and Family Health Policy and its

Implementation Guideline 2007 [Group work coordinated and finished by me]